



Docket: 6338.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------|--------------------|-----------------------|
| First Named Inventor: | Leonard S. Schultz | |
| Appln. No.: | 09/673,406 | |
| Filing Date: | March 29, 2002 | Examiner: L.T. Truong |
| Title: | EVACUATOR | Group Art Unit: 3761 |

PETITION FOR EXTENSION OF PERIOD FOR RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U.S. mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10th day of December, 2004.

Sue Hienaber
(Signature)

Dear Sir:

Pursuant to 37 C.F.R. § 1.136(a), Applicant hereby petitions for an extension of two (2) month(s) (from October 14, 2004 to December 14, 2004) within which to respond to the Office Action dated July 14, 2004. A check in the amount of \$525.00 is enclosed herewith to cover the extension fee and additional claim fee.

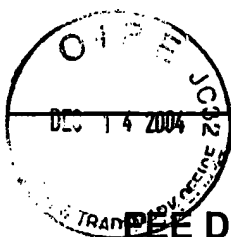
The Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 04-1420.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

Date: Dec 10, 2004

By: David E. Bruhn
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Intellectual Property Department
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50 South Sixth Street
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**LEE DETERMINATION
(After Amendment of Claims)**

Complete if Known

| | |
|----------------------|--------------------|
| Application No. | 09/673,406 |
| Filing Date | March 29, 2002 |
| First Named Inventor | Leonard S. Schultz |
| Group Art Unit | 3761 |
| Examiner Name | L. T. Truong |
| Atty. Docket Number | 6338.02 |

Claims as Amended in Response to Office Action dated: 07/14/2004

| METHOD OF PAYMENT (Check One) | | AMENDMENT FEE CALCULATION (Continued) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|------------------------------------|--|------------------------------------|----------------|-----------------|------------------|------------------|-----------------|----------|-----------|-----|--|---|-----|------------|---|--|-----|-----|--|-----|---------------------|-----|---|--|---------------|------------------|--|-----------------|-------|-----|---------------------------|-----|-----|-----------------------------------|------------------|-----|--------------------------|-----|-----------------------------------|---|-----|-----|---|---|-----|----|-------------------------|--|-----|----|----------------------------------|--|-------|-----|------------------------------------|--|-----|-----|-------------------------------|--|-----|-----|-------------------|--|-----|-----|---|--|
| <p>1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: 04-1420 Deposit Account Name: <u>DORSEY & WHITNEY LLP</u></p> <p><input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)</p> <p>2. <input checked="" type="checkbox"/> Check Enclosed</p> | | <p>3. ADDITIONAL FEES</p> <table><thead><tr><th>Large Entity Fee</th><th>Small Entity Fee</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>450</td><td>225</td><td>Extension for reply within second month</td><td>\$225.00</td></tr><tr><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1,480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>2,010</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1,330</td><td>665</td><td>Issue Fee-Utility/Reissue</td><td></td></tr><tr><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>330</td><td>165</td><td>Filing brief in support of appeal</td><td></td></tr><tr><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>110</td><td>55</td><td>Terminal Disclaimer Fee</td><td></td></tr><tr><td>110</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr><tr><td>1,330</td><td>665</td><td>Petition to revive – unintentional</td><td></td></tr><tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>180</td><td>180</td><td>Submission of IDS</td><td></td></tr><tr><td>770</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr></tbody></table> | | | | Large Entity Fee | Small Entity Fee | Fee Description | Fee Paid | 110 | 55 | Extension for reply within first month | | 450 | 225 | Extension for reply within second month | \$225.00 | 950 | 475 | Extension for reply within third month | | 1,480 | 740 | Extension for reply within fourth month | | 2,010 | 1,005 | Extension for reply within fifth month | | 1,330 | 665 | Issue Fee-Utility/Reissue | | 330 | 165 | Notice of Appeal | | 330 | 165 | Filing brief in support of appeal | | 290 | 145 | Request for oral hearing | | 110 | 55 | Terminal Disclaimer Fee | | 110 | 55 | Petition to revive – unavoidable | | 1,330 | 665 | Petition to revive – unintentional | | 130 | 130 | Petitions to the Commissioner | | 180 | 180 | Submission of IDS | | 770 | 385 | Request for Continued Examination (RCE) | |
| Large Entity Fee | Small Entity Fee | Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 110 | 55 | Extension for reply within first month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 450 | 225 | Extension for reply within second month | \$225.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 950 | 475 | Extension for reply within third month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1,480 | 740 | Extension for reply within fourth month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 1,330 | 665 | Issue Fee-Utility/Reissue | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 330 | 165 | Notice of Appeal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 330 | 165 | Filing brief in support of appeal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 290 | 145 | Request for oral hearing | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 110 | 55 | Terminal Disclaimer Fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 130 | 130 | Petitions to the Commissioner | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 180 | 180 | Submission of IDS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>AMENDMENT FEE CALCULATION</p> <p>1. EXTRA* CLAIM FEES</p> <table><thead><tr><th>Claims Remaining after Amendment</th><th>Highest Number Previously Paid for</th><th>Present Extra</th><th>Fee from Below*</th><th>Additional Fee</th></tr></thead><tbody><tr><td>Total 7</td><td>0</td><td>= 0</td><td>x \$25.00</td><td>= 0</td></tr><tr><td>Indep. 5</td><td>3</td><td>= 0</td><td>x \$100.00</td><td>= 300.00</td></tr><tr><td colspan="4">First Presentation of Multiple Dependent Claim</td><td>x =</td></tr><tr><td colspan="4">Subtotal (1)</td><td>300.00</td></tr></tbody></table> <p>*Calculation of Extra Claim Fees</p> <table><thead><tr><th>Large Entity Fee</th><th>Small Entity Fee</th><th>Fee Description</th></tr></thead><tbody><tr><td>50</td><td>25</td><td>Claims in excess of 20</td></tr><tr><td>200</td><td>100</td><td>Independent claims in excess of 3</td></tr><tr><td>290</td><td>145</td><td>Multiple dependent Claim</td></tr><tr><td>86</td><td>43</td><td>Reissue independent claims over original patent</td></tr><tr><td>18</td><td>9</td><td>Reissue claims in excess of 20 and over original patent</td></tr></tbody></table> | | Claims Remaining after Amendment | Highest Number Previously Paid for | Present Extra | Fee from Below* | Additional Fee | Total 7 | 0 | = 0 | x \$25.00 | = 0 | Indep. 5 | 3 | = 0 | x \$100.00 | = 300.00 | First Presentation of Multiple Dependent Claim | | | | x = | Subtotal (1) | | | | 300.00 | Large Entity Fee | Small Entity Fee | Fee Description | 50 | 25 | Claims in excess of 20 | 200 | 100 | Independent claims in excess of 3 | 290 | 145 | Multiple dependent Claim | 86 | 43 | Reissue independent claims over original patent | 18 | 9 | Reissue claims in excess of 20 and over original patent | <p>Other fee (specify):</p> <p>Subtotal (2) \$225.00</p> <p>Total Amount of Payment: \$525.00</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| Claims Remaining after Amendment | Highest Number Previously Paid for | Present Extra | Fee from Below* | Additional Fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total 7 | 0 | = 0 | x \$25.00 | = 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Indep. 5 | 3 | = 0 | x \$100.00 | = 300.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| First Presentation of Multiple Dependent Claim | | | | x = | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Subtotal (1) | | | | 300.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Large Entity Fee | Small Entity Fee | Fee Description | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 50 | 25 | Claims in excess of 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 200 | 100 | Independent claims in excess of 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 290 | 145 | Multiple dependent Claim | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 86 | 43 | Reissue independent claims over original patent | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | 9 | Reissue claims in excess of 20 and over original patent | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Submitted by:

CUSTOMER NUMBER

25763

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Date:

Dec 10, 2004